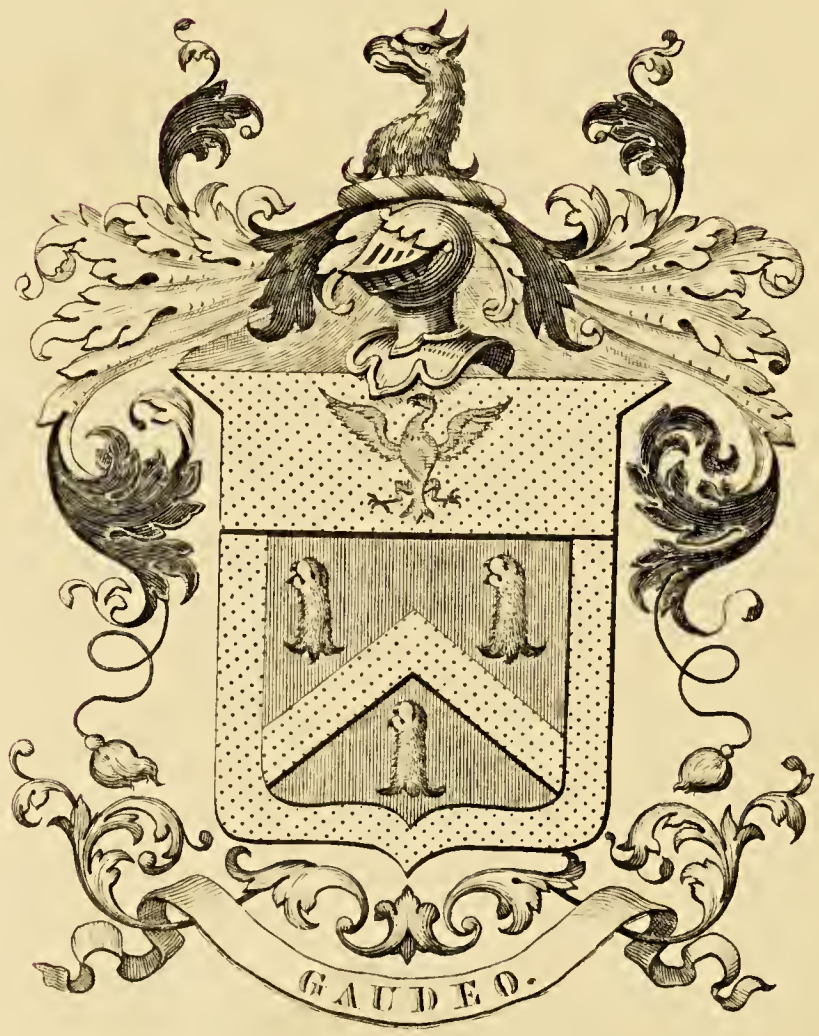

John Carter Brown.

Rich. p. 143.

A

SPEECH,

DELIVERED IN

The HOUSE of ASSEMBLY

Of the Province of PENNSYLVANIA,

MAY 24th, 1764.

By JOHN DICKINSON, Esq;

One of the MEMBERS for the County of *Philadelphia*.

On Occasion of a PETITION, drawn up by Order, and then under Consideration, of the *House*; praying his *Majesty* for a Change of the *Government* of this *Province*.

WITH

A PREFACE.

Certe ego libertatem, quæ mihi a Parente meo tradita est, experiar; verum id frustra, an ob rem faciam, in vestra manu situm est, Quirites.
SALL. Bell. Jugurth. in Orat. MEMMII.

As for me, I will assuredly contend for that glorious plan of *Liberty* handed down to us from our ancestors; but whether my Labours shall prove successful, or in vain, depends wholly on you, my dear Countrymen!

PHILADELPHIA Printed:

LONDON,

Re-Printed for J. WHISTON and B. WHITE, in *Fleet-street*.

M.DCC.LXIV.

PREFACE.

TO underſtand clearly the nature of that diſpute which led the Aſſembly to thoſe meaſures, which are ſo juſtly animadverted on in the following excellent Speech, it will be proper to look a few years backward.

IN the year 1759, Governor *D*——, whoſe adminiſtration will never be mentioned but with diſgrace in the annals of this Province, was induced, by conſiderations to which the world is now no ſtranger, to paſs ſundry acts, contrary to his duty, and to every tie of honor and juſtice. On the 2d of September 1760, his late Majeſty in council repealed ſix of theſe acts; and in regard to the 7th (which was an act for granting to his Majeſty One hundred thouſand Pounds, by a tax on all eſtates real and perſonal, &c.) the Lords of his Majeſty's moſt honourable Privy Council declared it their opinion, " that the ſaid act was fundamentally WRONG and UNJUST, and ought to be repealed, unleſs ſix certain amendments were made therein;"——

BENJAMIN FRANKLIN and Robert Charles, Agents for the Province, undertook that, in caſe the act might be left unrepealed, " the Aſſembly of Pennſylvania would prepare and paſs an act for making the amendments propoſed by the Lords of the Council, and to indemnify the Proprietaries from any damage they might ſuſtain by ſuch an act not being prepared and paſſed. This ſtipulation was ſigned by the hands of the ſaid agents, and the Proprietors for the ſake of peace accepted of it.

But, notwithſtanding the ſolemnity of this agreement, the Aſſembly, in framing the late *Supply-Bill*, inſiſted upon explaining the 2d and 3d articles of the ſtipulation in their own way, and inſerting them in the bill in different words from thoſe made uſe of by the Lords of Council, and ſigned by their own agents. The Governor, on the contrary, thought that no words could be ſo proper to convey the meaning of the Lords of Council and prevent diſputes, as thoſe which their Lordſhips themſelves had made uſe of; and that he could neither in decency or duty depart from them.

Hereupon meſſages enſued, and the Aſſembly, among other vehement and warm reſolves, broke up with the following moſt extraordinary one, *viz.*

"That this Houſe will adjourn, in order to conſult their conſtituents, whether an humble addreſs ſhould be drawn up, and tranſmitted to his Majeſty, praying, that he would be graciouſly pleaſed to take the people of this province, under his immediate protection and government, &c."

What methods were taken, during this adjournment, to lead a number of raſh, ignorant, and inconſiderate people into petitions, the evil tendency of which they did not underſtand, is an enquiry not ſuitable to the preſent occaſion. It is enough to ſay, that, after incredible pains, in a Province containing near THREE HUNDRED THOUSAND SOULS, not more than 3500 could be prevailed upon to petition for a change of government; and thoſe very generally of a low rank, many of whom could neither read nor write.

The wiſer and better part of the province had far different notions of this meaſure. They conſidered that the moment they put their hands to theſe petitions, they

they might be ſurrendering up their birth-right, and putting it in the power of a few men, for the ſake of gratifying their own ambitious projects and perſonal reſentments, to barter away that glorious plan of public liberty and charter privileges, under which this Province has riſen to the higheſt degree of proſperity, with a rapidity almoſt unparalleled in hiſtory.

Though the ill ſucceſs of theſe petitions muſt have been very mortifying to the projectors of them, yet the Aſſembly were, at all hazards, to be perſuaded to make them the foundation of a petition to the King for a change of government. It was in vain to urge the ſmallneſs of the numbers who ſigned the petitions; the high veneration in which our preſent conſtitution hath long been held by good men of every denomination, and the multitudes of induſtrious people whom even the very fame of it hath invited among us, from almoſt every part of the world. Theſe conſiderations were but ſlight bars to men actuated by ambition and reſentment; men, who have long found their own importance to conſiſt in fomenting the diviſions of their country, and now hope to aggrandize themſelves by bringing about the propoſed change, whatever may be its conſequences to others. They therefore found means to carry their petition through the Houſe; but not without the moſt ſpirited teſtimony againſt it, from a noble few, a Patriot Minority, whoſe names will be mentioned with honor, ſo long as any remembrance is left of the preſent boaſted Liberties of Pennsilvania.

At the head of theſe Few, the worthy author of the following Speech ſignalized himſelf. Having devoted to a ſevere courſe of ſtudy thoſe years which too many give to diſſipation and pleaſure, he ſhewed himſelf, at his firſt entrance on public life, poſſeſſed of a knowledge of the laws and conſtitution of his country,

which

which ſeldom falls to the ſhare even of grey hairs. Alike independent in ſpirit and in fortune, removed as far as any man can be from all connexions with the Proprietors or their immediate friends, and following only the unbiaſſed dictates of his own heart; he could not be a ſilent ſpectator while the moſt diſtant attempt was made upon that conſtitution, for which our fathers planted a wilderneſs, and which is derived to us by the FAITH OF CHARTERS, and SANCTITY of LAWS!

THIS SPEECH was delivered on the 24th of May, and the late Speaker, Mr. NORRIS, with the four Members under-mentioned, are ſaid to have declared to Mr. DICKINSON, that he had fully ſpoke their Sentiments, in his own. The next day in the afternoon, Mr. Dickinſon *moved* that the further conſideration of the matter ſhould be adjourned to the following morning. But it was voted by a great majority (Mr. Dickinſon, Mr. Joſeph Richardſon, Mr. Iſaac Saunders, and Mr. John Montgomery being for the negative) that the PETITION, as then drawn, ſhould be tranſcribed, in order to be ſigned by the Speaker; which was ordered accordingly.

MR. Dickinſon having then digeſted the heads of his ſpeech into the nature of a *Proteſt*, in which he was joined by Mr. Saunders and Mr. Montgomery *, offered it to be entered in the minutes; but it was refuſed.

MR. NORRIS the Speaker, who, from the nature of his office, could not join in the *Proteſt* or take any part in the debate, finding matters puſhed to this extremity, informed the Houſe, in a very ſolemn and affecting manner, "That for thirty years paſt he had had the honour of ſerving as a Repreſentative of the

* See their letter below.

people

people of this Province, and near half that time as SPEAKER——That, in theſe offices, he had uniformly endeavoured, according to the beſt of his judgment, to promote the public good——That the ſubject of the preſent debate was a matter of the utmoſt importance to the Province—That, as his ſentiments on the occaſion were very different from thoſe of the *majority*, and his ſeat in the chair prevented him from entering into the debate, he therefore *prayed* the Houſe, That if, in conſequence of their order, his duty ſhould oblige him to ſign the *Petition* as Speaker, he might be permitted to offer his ſentiments on the ſubject before he ſigned, and that they might be entered on the minutes;" which was granted accordingly.

THE Houſe then adjourned to the next morning, and when they met, the Clerk delivered the members a letter from the *Speaker*, acquainting them that his indiſpoſition prevented his further attendance, and praying them to chuſe a new Speaker. Thus this aged member and faithful ſervant of the Houſe, as if foreſeeing troubles to come, choſe to retire, and leave them to thoſe whoſe temper they better ſuited.

BENJAMIN FRANKLIN, Eſq; was *accordingly* choſen *Speaker*, and in the afternoon of the ſame day, ſigned the *Petition*, as one of his firſt acts; an act which *** but poſterity will beſt be able to give it a name?

As theſe tranſactions could not fail of being very intereſting to the good people of this Province, it is not to be wondered that they expreſſed an earneſt deſire to ſee the following *Speech*, that they might be able to form ſome knowledge of what was intended: for their own Repreſentatives did not think proper to let the contents of their petition for the propoſed change be known; tho' upon this ſingle ſtake, ſo far as depended upon them, they have riſqued our whole conſtitution. On

the 6th of June, therefore, a great number of the principal Gentlemen of *Philadelphia*, applied to Mr. DICKINSON for a copy of his ſpeech, by letter as follows *viz.*

"*Philadelphia, June 6th*, 1764.

"SIR,

WE whoſe names are underwritten, citizens of Philadelphia, acknowledge the obligations that the good people of this Province are under to you, for your ſpirited defence of our charter privileges, which we apprehend are greatly endangered by ſome late proceedings, particularly the ſetting on foot a petition to his Majeſty for a change of government. We are ſurprized that our repreſentatives, who ought to be guardians of the conſtitution, do not check rather than encourage this unſeaſonable application of a few (comparatively) of the people of this extenſive Province. We hereby teſtify our ſincere gratitude to you, Sir, and the other patriot Members that appeared on the ſide of our Charter and Privileges, and requeſt a copy of the Speech you delivered on that occaſion in the Houſe, as we are perſwaded that the publication thereof would be of great utility, and give general ſatisfaction. We beg leave to aſſure you of our regard, and are,

SIR,

Your moſt obedient

Humble Servants."

ABOUT

About the ſame time Mr. *Saunders* and Mr. *Montgomery*, earneſtly deſirous that their names might be joined with Mr. *Dickinſon's* thro' this whole affair, ſent him the following letter.

"SIR,

AS we are informed that a number of the principal gentlemen of the city of Philadelphia intend applying to you to have your Speech, which was deliver'd a few days ago in the Houſe of Aſſembly, againſt the meaſures propoſed for a change of government, publiſhed; and as we are of opinion the publication thereof, together with the reaſons on which our proteſt is founded, may be of conſiderable ſervice: We judge it proper (in caſe you are of the ſame opinion of making them publick) that you ſhould ſignify to the publick how heartily we have concurred with you in the ſame ſentiments, ſet forth in your Speech, and in diſapprobation of the late reſolves of the Houſe; this we judge a piece of juſtice due to ourſelves, leaſt we incurr, from our conſtituents, the imputation of betraying or ſacriſicing their eſſential rights and privileges which we meant to defend: We likewiſe authorize you hereby to affix our names to the diſſent and proteſt*, which the Houſe refuſed entering on their minutes. We are reſpectfully,

Sir, *Your's &c.*

ISAAC SAUNDERS.

JOHN MONTGOMERY."

* As all the arguments in this *Proteſt* are to be found more at large in the following Speech, it is not printed here, but will be publiſhed by itſelf in the News Papers.

HAVING thus given a faithful account, both of the occaſion of this Speech, and of its publication, it would be almoſt impoſſible not to quote a few paſſages from former Aſſemblies, to ſhew in what high terms, even of rapture and admiration, they continually mentioned our preſent conſtitution and plan of government.

"WE hope, ſay they *, the people of Pennſylvania will never be wanting to acknowlege the great wiſdom and ſingular goodneſs of our late honourable Proprietor, from whom we derive the privileges of our annual elections, as well as many other immunities, which have ſo manifeſtly contributed to the proſperity of the Province, &c." Again,

"WHEN † we commemorate the many bleſſings beſtowed on the inhabitants of this colony, the *religious* and *civil liberties* we poſſeſs, and to whom theſe valuable bleſſings, under God and the King, are owing, we ſhould be wanting to ourſelves, and them that we repreſent, did we not do juſtice to the memory of thy worthy anceſtor".

"Our ‡ happy conſtitution, ſecured to us by the wiſdom and goodneſs of our firſt Proprietary and founder of this province, ſo happily continued to us under the government of his honourable deſcendants, juſtly entitle them to our affection and zeal for their honour and intereſt."

BUT it would be endleſs to quote all that has been ſaid by our Aſſemblies, in favour of the conſtitution of this province, and its worthy founder. The ſum of the whole, when taken from the minutes, and thrown together in their own expreſs words, is nothing leſs than what follows.

* Aſſembly 1730.
† Addreſs to the honourable JOHN PENN, Eſq; 1764.
‡ Aſſembly 1738.

WILLIAM

WILLIAM PENN,
(1) A man of principles truely humane,
an Advocate for
RELIGION and LIBERTY,
(2) *Poſſeſſing* a noble ſpirit
That exerted itſelf
For the good of mankind,
WAS
(3) The great and worthy founder
Of
PENNSYLVANIA.
To its Inhabitants, by CHARTER,
(4) He granted and confirmed
(5) Many ſingular PRIVILEGES and IMMUNITIES,
(6) CIVIL and RELIGIOUS;
(7) Which he continually ſtudied
to preſerve and defend for them,
Nobly declaring
(8) That they had not followed him ſo far
To loſe a ſingle tittle
Of the GREAT CHARTER
To which all *Engliſhmen* were born!
For theſe Services,
(9) Great have been the acknowledgements
Deſervedly paid to his MERIT;
(10) And his MEMORY
Is dear to his people,
Who have repeatedly confeſſed
That,
(11) Next to divine Providence,
(12) Their Happineſs, Proſperity and Increaſe
(13) Are owing
To his wiſe conduct and ſingular goodneſs,
(14) Which deſerve ever to be remembered,

(1) Minutes 1734.
(2) Minutes 1740.
(3) Minutes 1738. 1740, 1745.
(4) Minutes 1755.
(5) Minutes 1730.
(6) Minutes 1734.
(7) Minutes 1735.
(8) Minutes 1756,
(9) Minutes 1740.
(10) Minutes 1719.
(11) Minutes 1725.
(12) Minutes 1731.
(13) Minutes 1734.
(14) Minutes 1732.

With

With
GRATITUDE and AFFECTION,
By PENNSYLVANIANS.

WERE it intended to write the higheſt encomium on the conſtitution of this country, and to erect the moſt laſting monument to the memory of its illuſtrious founder, a more noble *inſcription* could hardly be deviſed than what is contained in the foregoing minutes of Aſſembly: and a time may come, when impartial poſterity, notwithſtanding the preſent ingratitude of a *few*, may perhaps adapt it for this purpoſe.

As to the wild meaſures now on foot, they will undoubtedly deſtroy themſelves by their own violence; and it would be impoſſible to add any thing that can more expoſe their raſhneſs than what is contained in the following Speech. The Proprietors hold *their Right* by that charter under which ours is derived. Can the latter in law or equity be deemed more ſacred than the former? Have the Proprietors, by any act of theirs, forfeited the leaſt tittle of what was granted them by his Majeſty's royal anceſtors? Or can they be deprived of their charter-rights without their own conſent? have they not conſtantly ſheltered themſelves under the wing of government, and received the approbation of his Majeſty's firſt ſervants in the law to every material *Inſtruction* ſent to their governors here?

IN the preſent diſpute nothing has been inſiſted upon on the part of our Governors but a ſtrict adherence to what has been ſolemnly determined by his Majeſty in Council.

INDEED we have every way the worſt of this whole buſineſs. If a change were to take place, the Proprietors

prietors, before they reſign their charter, would certainly obtain a full equivalent for their *Rights* of *Government*, and likewiſe have all their *Rights* of *Property* ſecured to them by laws which we could not diſpute. Such a change, were they inclined to it, could certainly be of very little prejudice to them; but with reſpect to us the caſe is quite different. Inſtead of ſecuring any thing in reverſion or exchange, our repreſentatives, by their preſent petition, ſeem (ſo far at leaſt as depends on them) to have offered up our whole charter-rights, leaving it to the grace of others to return us any part, or indeed no part of them, according as it may be thought proper. But, thanks be to God, this is a power with which our repreſentatives were never veſted by us; and therefore the act they have committed is VOID in itſelf. Nor is there any doubt but an immenſe majority of the good people of this Province will ſtill be found ready, at a proper time, to vindicate their charter-rights; and to let the world know that they hold thoſe men unworthy of all future truſt, who could wantonly ſport with things ſo ſacred.

FORMER Aſſemblies made it an article of impeachment againſt one of the moſt conſiderable * men of this Province, "That he had contrived to violate (only) a part of the conſtitution of this government." But what would they have thought of an attempt to violate the whole?

WE know it will be replied, that the change now propoſed is not a violation of this kind, and that our privileges might be preſerved in virtue of our *Laws*, eeen if our charter were given up. But a ſufficient anſwer is given to this in page the 11th and 12th of the following *Speech*; and indeed it is aſtoniſhing. that

* James Logan, Eſq;

this

this argument could ever be made uſe of to impoſe upon any perſon, when it is well known that the chief privileges, by which the conſtitution of this province is diſtinguiſhed, depend upon our charter alone, and upon no poſitive law whatever.

And here, let no wrong conſtruction be put upon this defence of the particular conſtitution of *Pennſylvania*. Thoſe who now contend for it, have the higheſt veneration for the dignity and authority of the Crown. They think themſelves as much under its immediate protection as any of his Majeſty's ſubjects on this continent are; and it is well known, that they have on all occaſions been among the firſt of thoſe who have appeared in defence of the juſt rights of our gracious Sovereign.

They think it may be ſaid, without giving the leaſt offence, that the inhabitants of this Province enjoy certain privileges which are not to be found in the governments around them, and which they could not have the leaſt hopes of preſerving in caſe of any change of our preſent conſtitution. Multitudes of people have choſen a ſettlement in this Province, preferable to all others, on account of theſe privileges; and they now think that they have a right to the perpetual enjoyment of them: as they are in no caſe inconſiſtent with good order or the public good. Many private corporations, in his Majeſty's dominions, enjoy ſingular immunities upon the like foundation; and thoſe bodies have never been thought undutiful for adhering tenaciouſly to their rights, from age to age. Certainly we may be conſidered in a ſomething higher light than Corporate Bodies of this kind.

Having ſwelled this preface to a much greater length than was at firſt intended, we ſhall only offer one remark more, upon the terms in which the *Pe-*

tition of our Aſſembly is ſaid to be drawn up. We have heard that this Province is deſcribed in it as a ſcene of *riot, violence and confuſion*; but yet one can hardly judge it poſſible, that our repreſentatives could venture to approach the royal ear with ſuch an unjuſt account of their conſtituents. Nevertheleſs we have a right to inſiſt on a copy of this petition from the Committee in whoſe hands it is, that, if we lie under any accuſations in it, we may have an opportunity to anſwer them. This is ſo reaſonable, that we are perſuaded it cannot be refuſed, eſpecially in a matter wherein we may be greatly affected.

We would only obſerve, that the preſent is not a time for diviſions of any kind in his Majeſty's colonies; but for the cloſeſt union among ourſelves, that we may be able, by decent and juſt repreſentations of the ſtate of our country, to ſave it from burthens which it cannot bear, and to encourage it in thoſe improvements whereof it is capable. Let it be remembered how little we have got by bringing our party quarrels before the Crown theſe many years paſt; moſt certainly nothing but ſhame to ourſelves, and a load of expence to our country, which, however beneficial it may have been to the *Agents* employed, has not been of the leaſt ſervice to the public.

THE

THE SPEECH OF JOHN DICKINSON, Esq; &c.

Mr. Speaker,

WHEN honeſt men apprehend their country to be injured, nothing is more natural than to reſent and complain: but when they enter into conſideration of the means for obtaining redreſs, the ſame virtue that gave the alarm, may ſometimes, by cauſing too great a tranſport of zeal, defeat its own purpoſe; it being expedient for thoſe who deliberate of public affairs, that their minds ſhould be free from all violent paſſions. Theſe emotions blind the underſtanding: they weaken the judgment. It therefore frequently happens, that reſolutions formed by men thus agitated, appear to *them* very wiſe, very juſt, and very ſalutary; while others, not influenced by the ſame heats, condemn thoſe determinations, as weak, unjuſt, and dangerous. Thus, Sir, in councils it will always be found uſeful, to guard againſt even that indignation, which ariſes from integrity.

More particularly are *we* bound to obſerve the utmoſt caution in our conduct, as the experience of many years may convince us, that all our actions undergo the ſtricteſt ſcrutiny.——Numerous are the inſtances, that might be mentioned, of rights vindicated and equitable demands made in this province, according to the opinions entertained here, that in *Great-Britain* have been adjudged to be illegal attempts, and pernicious pretenſions.

These adjudications are the acts of perſons veſted with ſuch dignity and power, as claim ſome deference from us: and hence it becomes not unneceſſary to conſider in what light the meaſures now propoſed may appear to thoſe, whoſe ſentiments, from the conſtitution of our government, it will always be prudent to regard.

But on this important occaſion, we ought not to aim only at the approbation of men, whoſe authority may cenſure and controul us. More affecting duties demand our attention. The honour and welfare of *Pennſylvania* depending on our deciſions, let us endeavour ſo to act, that we may enjoy our own approbation, in the cool and undiſturbed hours of reflexion; that we may deſerve the approbation of the impartial world; and of poſterity, who are ſo much intereſted in the preſent debate.

No man, Sir, can be more clearly convinced than I am, of the inconveniences ariſing from a ſtrict adherence to proprietary inſtructions. We are prevented from demonſtrating our loyalty to our excellent Sovereign, and our affection to our diſtreſt fellow-ſubjects, unleſs we will indulge the Proprietors, with a diſtinct and partial mode of taxation, by which they will ſave perhaps four or five hundred pounds a year, that ought to go in eaſe of our conſtituents.

THIS is granted on all ſides to be unequal; and has therefore excited the reſentment of this Houſe. Let us reſent——but let our reſentment bear proportion to the provocation received; and not produce, or even expoſe us to the peril of producing, effects more fatal than the injury of which we complain. If the change of government now meditated can take place, with all our privileges preſerved; let it inſtantly take place: but if *they* muſt be conſumed in the blaze of royal authority, we ſhall pay too great a price for our approach to the throne; too great a price for obtaining (if we ſhould obtain) the addition of four or five hundred pounds to the proprietary tax; or indeed for any emolument likely to follow from the change.

I HOPE I am not miſtaken, when I believe that every member in this Houſe feels the ſame reverence that I do, for theſe *ineſtimable rights*. When I conſider the ſpirit of liberty that breathes in them, and the flouriſhing ſtate to which this province hath riſen in a few years under them, I am extremely deſirous, that they ſhould be tranſmitted to future ages; and I cannot ſuppreſs my ſolicitude, while ſteps are taking, that tend to bring them all into danger. Being aſſured, that this houſe will always think an attempt to change this government too hazardous, unleſs theſe privileges can be *perfectly ſecured*, I ſhall beg leave to mention the reaſons by which I have been convinced, that ſuch an attempt ought not *now* to be made.

IT ſeems to me, Sir, that a people who intend an innovation of their government, ought to chuſe the moſt proper *time*, and the moſt proper *method* for accompliſhing their purpoſes; and ought ſeriouſly to weigh all the probable and poſſible *conſequences* of ſuch a meaſure.

There are certain periods in public affairs, when designs may be executed much more easily and advantageously, than at any other. It hath been by a strict attention to every interesting circumstance; a careful cultivation of every fortunate occurrence; and patiently waiting till they have ripened into a favourable conjuncture, that so many great actions have been performed in the political world.

It was through a rash neglect of this prudence, and too much *eagerness* to gain his point, that the Duke of *Monmouth* destroyed his own enterprize, and brought himself dishonourably to the block, though every thing then verged towards a revolution. The Prince of Orange with a *wise delay* pursued the same views, and gloriously mounted a throne.

It was through a like neglect of this prudence, that the commons of *Denmark*, smarting under the tyranny of their nobility, in a fit of revengeful fury, *suddenly* surrendered their liberties to the king; and ever since, with unavailing grief and useless execrations, have detested the *mad moment*, which slipt upon them the shackles of slavery, which no struggles can shake off. With *more deliberation*, the *Dutch* erected a stadholdership, that hath been of signal service to their state.

That excellent historian and statesman *Tacitus*, whose political reflexions are so justly and universally admired, makes an observation in his third annal, that seems to confirm these remarks. Having mentioned a worthy man of great abilities, whose ambitious ardour hurried him into ruin, he uses these words, "*quod multos etiam bonos pessum dedit, qui, spretis quæ tarda cum securitate, præmatura vel cum exitio properant.*" "Which misfortune hath happened to many good men, who despising those things which they

they might *ſlowly* and *ſafely* attain, ſeize them too haſtily, and with fatal ſpeed ruſh upon their own deſtruction."

If then, Sir, the beſt intentions may be diſappointed by too rapid a proſecution of them, many reaſons induce me to think, that this is not the *proper time* to attempt the change of our government.

It is too notorious and too melancholy a truth, that we now labour under the diſadvantage of royal and miniſterial diſpleaſure. The conduct of this province, during the late war, hath been almoſt continually condemned at home. We have been covered with the reproaches of men, whoſe ſtations give us juſt cauſe to regard their reproaches. The laſt letters from his majeſty's ſecretary of ſtate prove, that the reputation of the province has not yet revived. We are therein expreſsly charged with double dealing, diſreſpect for his Majeſty's orders, and, in ſhort, accuſations, that ſhew us to be in the utmoſt diſcredit. Have we the leaſt reaſon to believe, when the tranſactions of this year, and the cauſe of our application for a change, are made known to the king and his miniſters, that their reſentment will be waved? Let us not flatter ourſelves. Will they not be more incenſed, when they find the public ſervice impeded, and his majeſty's dominions ſo long expoſed to the ravages of mercileſs enemies, by our inactivity and obſtinacy, as it will be ſaid? For this, I think, hath been the conſtant language of the miniſtry on the like occaſions. Will not their indignation riſe beyond all bounds, when they underſtand that our hitherto denying to grant ſupplies, and our application for a change, proceed from the governor's ſtrict adherence to the terms of the ſtipulations, ſo ſolemnly made, and ſo repeatedly approved, by the late and preſent King?

But

But I may perhaps be anſwered, " that we have agreed to the terms of the ſtipulations, according to their true meaning, which the Governor refuſes to do." Surely, Sir, it will require no ſlight ſagacity in diſtinguiſhing, no common force of argument, to perſuade his Majeſty and his Council, that the refuſal to comply with the true meaning of the ſtipulations proceeds from the Governor, when he inſiſts on inſerting in our bill the very words and letters of thoſe ſtipulations.

" But theſe ſtipulations were never intended to be inſerted *verbatim* in our bills, and our conſtruction is the moſt juſt." I grant it appears ſo to *us*, but much I doubt, whether his Majeſty's Council will be of the ſame opinion. That Board and this Houſe have often differed as widely in their ſentiments. *Our* judgment is founded on the knowledge we have of facts, and of the purity of our intentions. The judgment of *others*, is founded on the repreſentations made to them, of thoſe facts and intentions. Theſe repreſentations may be unjuſt; and therefore the deciſions that are formed upon them, may be erroneous. If we are rightly informed, we are repreſented as the mortal enemies of the proprietors, who would tear their eſtates to pieces, unleſs ſome limit was fixed to our fury. For *this purpoſe* the ſecond and third articles of the ſtipulations were formed. The inequality of the mode was explained and enlarged upon by the provincial council; but in vain. I think, I have heard a worthy member, who lately returned from *England*, mention theſe circumſtances.

If this be the caſe, what reaſonable hope can we entertain, of a more favourable determination *now?* The Proprietors are ſtill living. Is it not highly probable that they have intereſt enough, either to prevent the change, or to make it on ſuch terms, as will fix upon

upon us *for ever*, thoſe demands that appear ſo extremely juſt to the *preſent Miniſters?* One of the Proprietors appears to have great intimacy and influence, with ſome very conſiderable members of his Majeſty's Council. Many men of the higheſt character, if public reports ſpeak truth, are now endeavring to eſtabliſh proprietary governments, and therefore probably may be more readily inclined to favour proprietary meaſures. The very gentlemen who *formed* the articles of the ſtipulations, *are now in power*, and no doubt will inforce their *own Acts* in the ſtricteſt manner. On the other hand, every circumſtance that now operates againſt us, may in time turn in our favour. We may perhaps be fortunate enough to ſee the preſent prejudices againſt us, worn off: to recommend ourſelves to our Sovereign: and to procure the eſteem of ſome of his miniſters. I think I may venture to aſſert, that ſuch a period will be infinitely more proper than the preſent, for attempting a change of government.

With the permiſſion of the Houſe, I will now conſider the *manner* in which this attempt is carried on; and I muſt acknowledge, that I do not in the leaſt degree approve of it.

The time may come, when the weight of this government may grow too heavy for the ſhoulder of a ſubject; at leaſt, too heavy for thoſe of a woman, or an infant. The proprietary family may be ſo circumſtanced, as to be willing to accept of ſuch an equivalent for the government from the crown, as the crown may be willing to give. Whenever this point is agitated, either on a propoſal from the crown or proprietors, this province may plead the cauſe of her privileges with greater freedom, and with greater probability of ſucceſs, than at preſent. The royal grant; the charter founded upon it; the public faith pledged

to

to the adventurers, for the ſecurity of thoſe rights to them and their poſterity, whereby they were encouraged to combat the dangers, I had almoſt ſaid, of another world, to eſtabliſh the Britiſh power in remoteſt regions, and add ineſtimable dominions with the moſt extenſive commerce to their native country; the high value and veneration we have for theſe privileges; the afflicting loſs and misfortune we ſhould eſteem it, to be deprived of them, and the unhappineſs in which his majeſty's faithful ſubjects in this province would thereby be involved; our inviolable loyalty and attachment to his Majeſty's perſon and illuſtrious family, whoſe ſovereignty hath been ſo ſingularly diſtinguiſhed by its favourable influence on the liberties of mankind.——All theſe things may then be properly inſiſted on. If urged with that modeſt heart-felt energy, with which good men ſhould always vindicate the intereſts of their country before the beſt of ſovereigns, I ſhould not deſpair of a gracious attention, to our humble requeſts. Our petition in ſuch a caſe, would be ſimple, reſpectful, and perhaps affecting.

But in the preſent mode of proceeding, it ſeems to me, that we preclude ourſelves from every office of decent duty to the moſt excellent of Kings; and from that right of earneſtly defending our privileges, which we ſhould otherwiſe have. The foundation of this attempt, I am apprehenſive, will appear to others, *peculiarly unfortunate.* In a ſudden paſſion, it will be ſaid, againſt the proprietors, we call out for a change of government. Not from reverence for his Majeſty; not from a ſenſe of his paternal goodneſs to his people; but becauſe we are angry with the Proprietors; and tired of a diſpute founded on an order approved by his Majeſty, and his royal grandfather.

Our

Our powerful friends on the other ſide of the *Atlantic*, who are ſo apt to put the kindeſt conſtructions on our actions, will no doubt obſerve, " that the conduct of the people of *Pennſylvania* muſt be influenced by very extraordinary councils, ſince they deſire to come *more immediately* under the King's command, BECAUSE they will *not obey* thoſe royal commands, which have been already ſignified to them."

But here it will be ſaid ; nay it has been ſaid ; and the petition before the Houſe is drawn accordingly ; " we will not alledge this diſpute with the Governor on the ſtipulations, but the general inconveniences of a proprietary government, as the cauſe of our deſiring a change." 'Tis true we may act in this artful manner ; but what advantages ſhall we gain by it ? Though *we* ſhould keep the ſecret, can we ſeal up the lips of the Proprietors ? Can we recal our meſſages to the Governor ? Can we annihilate our own reſolves ? Will not all——will not any of theſe diſcover the *true cauſe* of the preſent attempt ?

Why then, ſhould we unneceſſarily invite freſh invectives in the very beginning of a moſt important buſineſs, that to be happily concluded, requires all the favour we can procure, and all the dexterity we can practice ?

We intend to ſurround the throne, with petitions that our government may be changed from proprietary to royal. At the ſame time we mean to preſerve our privileges : But how are theſe two points to be reconciled ?

If we expreſs our deſire for the preſervation of our privileges, in ſo general or faint a manner as may induce the King to think they are of no great conſe-

quence to us, it will be nothing lefs than to betray our country.

If, on the other hand, we inform his Majefty, " that though we *requeft* him to change the government, yet we *infift* on the prefervation of our privileges," certainly it will be thought an unprecedented Stile of petitioning the crown, that humbly afks a favour, and boldly prefcribes the terms, on which it muft be granted.

How then fhall we act? Shall we fpeak, or fhall we fuppref's our fentiments? The firft method will render our requeft incoherent: the fecond will render it dangerous. Some gentlemen are of opinion, that thefe difficulties may be folved, by intrufting the management of this affair to an Agent: but I fee no reafon to expect fuch an effect. I would firft obferve that this matter is of too prodigious confequence to be trufted to the difcretion of an Agent. ——But if it fhall be committed by this Houfe, *the proper guardian of the public liberties*, to *other* hands, this truth muft at fome time or other be difclofed, " that we will never confent to a change, unlefs our privileges are preferved." I fhould be glad to know, with what fineffe this matter is to be conducted. Is the agent to keep our petition to the crown in his pocket, till he has whifpered to the miniftry? Will this be juftifiable? Will it be decent? Whenever he applies to *them*, I prefume, they will defire to know his authority for making fuch an application. Then our petition muft appear; and whenever it does appear, either at firft or laft, *that*, and the others tranfmitted with it, I apprehend, will be the foundation of any refolutions taken in the King's Council.

Thus, in whatever view this tranfaction is confidered, fhall we not ftill be involved in the dilemma already

ready mentioned, " of begging a favour from his Majesty's goodness, and yet shewing a distrust that the royal hand, stretched out at our own request for our relief, may do us an injury?"

Let me suppose, and none can offer the least proof of this supposition being unreasonable, that his Majesty will not accept of the government, clog'd, as it will be said, with privileges inconsistent with the royal rights: how shall we act then? We shall have our choice of two things; one of them destructive: the other dishonourable. We may either renounce the laws and liberties framed and delivered down to us by our careful ancestors: or we may tell his Majesty, with a surly discontent, " that we will not submit to his *implored protection*, but on such conditions, as we please to impose on him." Is not this the inevitable and dreadful alternative, to which we shall reduce ourselves?

In short, Sir, I think the farther we advance in the path we are now in, the greater will be the confusion and danger in which we shall engage ourselves. Any body of men acting under a charter must surely tread on slippery ground, when they take a step that may be deemed a surrender of that charter. For my part, I think the petitions that have been carried about the city and country to be signed, and are now lying on the table, can be regarded in no other light, than as a surrender of the charter, with a short indifferent hint annexed of a desire, that our privileges may be spared, if it shall be thought proper. Many striking arguments may in my opinion be urged, to prove that any request made by this House for a change, may with still greater propriety be called a surrender. The common observation " that many of our privileges do not depend on our charter only, but are confirmed by laws approved by the Crown," I

doubt will have but little weight with thoſe, who will determine this matter.

It will readily be replied, " that theſe laws were founded on the charter; that they were calculated for a proprietary government, and for no other; and approved by the Crown in that view alone: that the proprietary government is now acknowledged by the people living under it to be a bad government; and the Crown is intreated to accept a ſurrender of it: that therefore, by aboliſhing the proprietary government, every thing founded upon it muſt of conſequence be alſo aboliſhed."

However, if there ſhould be any doubts in the law on theſe points, there is an eaſy way to ſolve them.

These reflexions, Sir, naturally lead me to conſider the *conſequences* that may attend a change of government; which is the laſt point, I ſhall trouble the Houſe upon at this time.

It is not to be queſtioned, but that the Miniſtry are deſirous of veſting the immediate government of this Province, advantageouſly in the Crown. 'Tis true, they don't chuſe to act arbitrarily, and tear away the preſent government from us, without our conſent. This is not the age for ſuch things. But let *us* only furniſh them with a pretext, by preſſing petitions for a change; let us only relinquiſh the hold we now have, and in an inſtant we are precipitated from that envied height where we now ſtand. The affair is laid before the Parliament, the deſires of the Miniſtry are inſinuated, the rights of the Crown are vindicated, and an act paſſes to deliver us at once from the government of Proprietors, and the privileges we claim under them.

Then

THEN, Sir, we who *in particular* have presented to the authors of the fatal change, this *long-wish'd* for opportunity of effecting it, shall for *our assistance* be entitled to their thanks —— *Thanks !* which, I am persuaded, every worthy member of this House would *abhor* to deserve, and would *scorn* to receive.

IT seems to be taken for granted, that, by a change of government, we shall obtain a change of those measures which are so displeasing to the people of this Province —— that justice will be maintained by an equal taxation of the proprietary estates —— and that our frequent dissensions will be turned into peace and happiness.

THESE are effects indeed sincerely to be wished for by every sensible, by every honest man : but reason does not always teach us to expect the warm wishes of the heart. Could our gracious Sovereign take into consideration, the state of every part of his extended dominions, we *might* expect redress of every grievance: for with the most implicit conviction I believe, he is as just, benevolent, and amiable a Prince, as Heaven ever granted in its mercy to bless a people. I venerate his virtues beyond all expression. But *his* atttention to our particular circumstances being impossible, we must receive our fate from ministers ; and from *them*, I do not like to receive it.

WE are not the subjects of ministers ; and therefore it is not to be wondered at, if they do not feel that tenderness for us, that a good prince will always feel for his people. Men are not born ministers. Their ambition raises them to authority ; and when possessed of it, one established principle with them seems to be, " never to deviate from a precedent of power."

DID

Did we not find in the late war, though we exerted ourſelves in the moſt active manner in the defence of his Majeſty's dominions, and in promoting the ſervice of the Crown, every point, in which the Proprietors thought fit to make any oppoſition, decided againſt us? Have we not alſo found, ſince the laſt diſturbance of the public peace by our ſavage enemies, the conduct of the late Governor highly applauded by the miniſtry, for his adherence to thoſe very ſtipulations now inſiſted on; and ourſelves ſubjected to the *bitterest reproaches*, only for attempting to avoid burthens, that were thought extremely grievous. Other inſtances of the like kind I paſs over, to avoid a tedious recapitulation.

Since then, the gale of miniſterial favour has in *all ſeaſons* blown propitious to proprietary intereſt, why do we now fondly flatter ourſelves, that it will *ſuddenly* ſhift its quarter? Why ſhould we, with an *amazing credulity*, now fly for *protection* to *thoſe* men, truſt *every thing* to *their* mercy, and aſk the moſt diſtinguiſhing *favours* from *their* kindneſs, from whom we complained, a few months ago, that we could not obtain the moſt reaſonable requeſts? Surely, Sir, we muſt acknowledge one of theſe two things: either, that our *complaint* was then *unjuſt*; or, that our *confidence* is now *unwarranted*. For my part, I look for a rigid perſeverance in former meaſures. With a new government, I expect new diſputes. The experience of the royal colonies convinces me, that the immediate government of the Crown, is not a ſecurity for that tranquillity and happineſs we promiſe ourſelves from a change. It is needleſs for me to remind the Houſe, of all the frequent and violent controverſies that have happened between the King's Governors in ſeveral provinces, and their Aſſemblies. At this time, if I am rightly informed, *Virginia* is ſtruggling againſt an inſtruction relating to their paper currency, that will

be attended, as that colony apprehends, with the moſt deſtructive conſequences, if carried into execution.

Indeed, Sir, it ſeems vain to expect, where the ſpirit of liberty is maintained among a people, that public conteſts ſhould not *alſo* be maintained. Thoſe who *govern*, and thoſe who *are governed*, ſeldom think they can gain too much on one another. Power is like the *ocean*; not eaſily admitting limits to be fixed in it. It muſt be in motion. Storms indeed are not deſirable: but a long dead calm is not to be looked for; perhaps, not to be wiſhed for. Let not *us* then, in expectation of *ſmooth ſeas*, and an *undiſturbed courſe*, too raſhly venture our *little veſſel* that hath ſafely ſailed round *our own well known* ſhores, upon the *midſt* of the *untry'd deep*, without being firſt fully convinced, that her *make* is ſtrong enough to bear the *weather* ſhe may meet with, and that ſhe is well *provided* for ſo long and ſo dangerous a voyage.

No man, Sir, amongſt us hath denyed, or will deny, that this Province muſt *ſtake*, on the event of the preſent attempt, liberties that ought to be immortal. —— *Liberties!* founded on the acknowledged rights of human nature; and reſtrained in our mother-country, only by an unavoidable neceſſity of adhering, in ſome meaſure, to long eſtabliſhed cuſtoms. Thus hath been formed between old errors and haſty innovations, an entangled chain, that our anceſtors either had not moderation or leiſure enough to untwiſt.

I will now briefly enumerate, as well as I can recollect, the particular privileges of *Pennſylvania*.

In the firſt place, we here enjoy that beſt and greateſt of all rights, *a perfect religious freedom*.

Posts

Posts of honour and profit are unfettered with *oaths* or *tests*; and therefore are open to men, whose abilities, strict regard to their conscientious persuasion, and unblemished characters, qualify them to discharge their duties with credit to themselves, and advantage to their country. Thus justice is done to merit; and the public loses none of its able servants.

The same wisdom of our laws has guarded against the absurdity of granting greater credit even to villains, if they will swear, than to men of virtue, who from religious motives cannot. Therefore those who are conscientiously scrupulous of taking an oath are admitted as witnesses in criminal cases. Our legislation suffers no checks, from a council instituted, in fancied imitation of the House of Lords. By the right of sitting on our own adjournments, we are secure of meeting, when the public good requires it: and of not being dismist, when private passions demand it. At the same time, the strict discharge of the trust committed to Us, is inforced by the short duration of our power, which must be renewed by our constituents every year.

Nor are the people stript of all authority, in the execution of laws. They enjoy the satisfaction of having some share, by the appointment of provincial commissioners, in laying out the money which they raise; and of being in this manner assured, that it is applied to the purposes, for which it was granted. They also elect sheriffs and coroners; officers of so much consequence, in every determination that affects honour, liberty, life, or property.

Let any impartial person reflect, how contradictory some of these privileges are to the most antient principles of the English constitution, and how directly opposite others of them are to the settled prerogatives of

of the crown; and then conſider, what probability we have of retaining them on a *requeſted* * change: that is, of continuing in fact a proprietary government, though we humbly pray the King to change this government. Not unaptly, in my opinion, the connexion between the proprietary family and this Province, may be regarded as a marriage. Our privileges may be called the fruits of that marriage. The domeſtic peace of this family, it is true, has not been unvexed with quarrels and complaints: But the pledges of their affection ought always to be eſteemed: and whenever the parents on an *imprudent requeſt* ſhall be *divorced*, much I fear, that their *iſſue* will be declared *illegitimate.* ——— *This* I am well perſuaded of, that ſurprizing muſt our behaviour appear to all men, if, in the inſtant when we apply to his Majeſty for relief from what we think oppreſſion, we ſhould diſcover a reſolute diſpoſition to deprive him of the uncontroverted prerogatives of his royal dignity.

At this period, when the adminiſtration is regulating new colonies, and deſigning, as we are told, the † *ſtricteſt reformations* in the old, it is not likely that they will grant an invidious diſtinction in our favour. Leſs likely is it, as that diſtinction will be liable to ſo many, and ſuch ſtrong *conſtitutional* objections; and when we ſhall have the weight both of the clergy and miniſtry, and the univerſally-received opinions of the people of our mother country to contend with.

I mean not, Sir, the leaſt reflexion on the church of *England.* I reverence and admire the purity of its doctrine, and the moderation of its temper. I am

* *Imperium facile iis artibus retinetur, quibus initio partum eſt.*
Sall. Bell. Catalin.

† Some late Acts of Parliament ſhew what ſtrict reformations are to be made in the Colonies.

 convinced

convinced, that it is filled with learned and with excellent men: but all zealous perſons think their own religious tenets the beſt, and would willingly ſee them embraced by others. I therefore apprehend, that the dignified and reverend gentlemen of the church of *England*, will be extremely deſirous to have *that* church as well ſecured, and as much diſtinguiſhed as poſſible, in the *American* colonies: eſpecially in thoſe colonies, where it is overborne, as it were, by diſſenters. There never can be a more critical opportunity for this purpoſe than the preſent. The cauſe of the church will beſides be connected with that of the crown, to which its principles are thought to be more favourable, than thoſe of the other profeſſions.

We have received certain information, that the conduct of this Province, which has been ſo much cenſured by the miniſtry, is attributed to the influence of a ſociety, that holds warlike meaſures at all times to be unlawful. ——— We alſo know, that the late tumultuous and riotous proceedings, which are repreſented in ſo ſtrong a light by the petition now before the Houſe, have been publicly aſcribed to the influence of another ſociety. Thus the blame of every thing diſreputable to this province is caſt on one or the other of theſe diſſenting ſects. Circumſtances! that I imagine, will neither be forgot, nor neglected.

We have ſeen the event of our diſputes concerning the *Proprietary* intereſts; and it is not to be expected, that our ſucceſs will be greater when our opponents become more numerous; and will have more dignity, more power, and, as they will think, more law on their ſide.

These are the dangers, Sir, to which we are now about to expose those privileges, in which we have hitherto so much gloried. *Wherefore?* To procure two or three, perhaps four or five hundred pounds a year (for no calculation has carried the sum higher) from the Proprietors, for two or three or four or five years; for so long, and something longer perhaps, the taxes may continue.

But are we sure of gaining this point? *We are not.* Are we sure of gaining any other advantage? *We are not.* Are we sure of preserving our privileges? *We are not.* Are we under a necessity of pursuing the measure proposed at this time? *We are not.*

Here, Sir, permit me to make a short Pause. — Permit me to appeal to the heart of every member in this House, and to entreat him to reflect, how far he can be justifiable in giving his voice, thus to hazard the liberties secured to us by the wise founders of this Province; peaceably and fully enjoyed by the present age, and to which posterity is so justly entitled.

But, Sir, we are told there is no danger of losing our privileges, if our government should be changed; and two arguments are used in support of this opinion. —— The first is, "That the government of the Crown is exercised with so much lenity in *Carolina* and the *Jerseys*."——I cannot perceive the least degree of force in this argument. As to *Carolina*, I am not a little surprized, that it should be mentioned on this occasion, since I never heard of one privilege that colony enjoys, more than all the other royal governments in *America*. The privileges of the *Jerseys* are of a different nature from many of which we are possest; and are more consistent with the royal prerogative.

INDEED I know of none they have, except that *Quakers* may be witneſſes in criminal caſes, and may bear offices. Can this indulgence, ſhewn to them for a particular reaſon, and not contradictory to the rights of the crown, give us any juſt cauſe to expect the confirmation of privileges directly oppoſite to thoſe rights; and for confirming which, no ſuch reaſon exiſts. But perhaps the gentlemen, who advance this argument, mean, that *we* ſhall purchaſe a change at a cheap price, if we are only reduced to the ſame ſtate with the *Jerſeys*——Surely, Sir, if this be their meaning, they entirely forget thoſe extraordinary privileges, which ſome time ago were mentioned.

How many muſt we in ſuch a caſe renounce! I apprehend, it would prove an argument of little conſolation to theſe gentlemen, if they ſhould loſe three-fourths of their eſtates, to be told, that they ſtill remain as rich as their neighbours, and have enough to procure all the neceſſaries of life.

IT is ſomewhat remarkable, that this ſingle inſtance of favour in permitting an affirmation inſtead of an oath, in a ſingle province, ſhould be urged as ſo great an encouragement to us, while there are ſo many examples of another kind to deterr us. In what *royal government* beſides the *Jerſeys*, can a *Quaker* be a witneſs in criminal caſes, and bear offices *(a)*? *In no other*. What can be the reaſon of this diſtinction in the *Jerſeys?* Becauſe in the infancy of that colony, when it came under the government of the crown, there was, as appears from authentic vouchers, an ABSOLUTE NECESSITY, from the ſcarcity of other proper perſons, to make uſe of the people called

(a) It is ſaid, that a Quaker was lately committed to goal in *New-York*, becauſe he would not ſwear in a criminal caſe.

Quakers

Quakers in public employments. Is there ſuch a neceſſity in this Province? Or can the miniſtry be *perſuaded*, that there is ſuch a neceſſity? No, Sir, thoſe from whom they will receive their information, will grant no ſuch thing; and therefore I think there is the *moſt imminent danger*, in caſe of a change, that the people of *this ſociety* will loſe the exerciſe of thoſe rights, which though they are intitled to as men, yet ſuch is the ſituation of human affairs, they with difficulty can find a ſpot on the whole globe where they are allowed to enjoy them. It will be an argument of ſome force, I am afraid, that the church of *England* can never expect to raiſe its head among us, while we are encouraged, as it will be ſaid, in diſſention: but if an *oath* be made neceſſary for obtaining offices of honour and profit; it will then be expected that any Quakers, who are tempted to renounce their principles, will undoubtedly make an addition to the eſtabliſhed church.

If any other conſideration than that which has been mentioned was regarded in granting that indulgence in the *Jerſeys*, though no other is expreſt, it ſeems not improbable, that the nearneſs of this Province might have had ſome weight, as from its ſituation it afforded ſuch ſtrong temptations to the inhabitants of the *Jerſeys* to remove hither, had they been treated with any ſeverity.

Their government in ſome meaſure was formed in imitation of our government; but when this is altered, the *Engliſh* conſtitution muſt be the model, by which it will be formed.

Here it will be ſaid, "this cannot be done but by the Parliament; and will a Britiſh Parliament do ſuch an act of injuſtice, as to deprive us of our rights?"

This

This is the ſecond argument, uſed to prove the ſafety of the meaſures now propoſed.

Certainly the *Britiſh* Parliament will not do, what they think, an unjuſt act: but I cannot perſuade myſelf, that *they* will think it unjuſt, to place us on the ſame footing with themſelves. It will not be an eaſy taſk to convince them, that the people of *Pennſylvania* ought to be diſtinguiſhed from all other ſubjects, under his Majeſty's *immediate* government; or that ſuch a diſtinction can anſwer any good purpoſe. May it not be expected, that they will ſay, "No people "can be freer than ourſelves; every thing more than "we enjoy, is licentiouſneſs, not liberty: any in-"dulgencies ſhewn to the colonies heretofore, were "like the indulgencies of parents to their infants; "they ought to ceaſe with that tender age; and, as "the colonies grow up to a more vigorous ſtate, "they ought to be carefully diſciplined, and all their "actions regulated by ſtrict laws. Above all things "it is neceſſary, that the prerogative ſhould be exer-"ciſed with its full force in our American provinces, "to reſtrain them within due bounds, and ſecure "their dependance on this kingdom."

I am afraid, that this will be the opinion of the Parliament, as it has been, in every inſtance, the undeviating practice of the Miniſtry.

But, Sir, it may be ſaid, "theſe reaſons are not "concluſive, they do not demonſtratively prove, that "our privileges *will be* endangered by a change." I grant the objection: but what ſtronger reaſons, what clearer proofs are there, that they *will not be* endangered by a change.

They are ſafe now; and *why* ſhould we engage in an enterprize that will render them *uncertain?* if nothing

thing will content us but a revolution brought about by ourſelves, ſurely we ought to have made the ſtricteſt enquiries what terms we may expect; and to have obtained from the miniſtry ſome kind of ſecurity for the performance of thoſe terms.

THESE things might have been done. They are not done. If a merchant will venture to travel with great riches into a foreign country, without a proper guide, it certainly will be adviſeable for him to procure the beſt intelligence he can get, of the climate, the roads, the difficulties he will meet with, and the treatment he may receive.

I PRAY the Houſe to conſider, if we have the ſlighteſt ſecurity that can be mentioned, except opinion (if that is any) either for the preſervation of our preſent privileges, or gaining a ſingle advantage from a change. Have we any writing? have we a verbal promiſe from any Miniſter of the Crown? We have not. I cannot therefore conceal my aſtoniſhment, that gentlemen ſhould require a leſs ſecurity for the invaluable rights of *Pennſylvania*, than they would demand for a debt of five pounds. Why ſhould we preſs forward with this unexampled hurry, when no benefit can be derived from it? Why ſhould we have any averſion to deliberation and delay, when no injury can attend them?

It is ſcarcely poſſible, in the preſent caſe, that we can ſpend too much time, in forming reſolutions, the conſequences of which are to be *perpetual*. If it is true, as ſome averr, that we can *now* obtain an advantageous change of government, I ſuppoſe it will be alſo true next week, next month, and next year: but if *they* are miſtaken, it will be early enough, whenever it happens, to be diſappointed, and to repent. I am not willing to run riſques in a matter of ſuch pro-

digious importance, on the credit of *any man's opinion*, when by a ſmall delay, that can do no harm, the ſteps we are to take may become more ſafe. *Gideon*, though he had converſed with an "angel of the lord," would not attempt to relieve his countrymen, then ſorely oppreſt by the *Midianites*, leaſt he ſhould involve them in greater miſeries, until he was convinced by two miracles that he ſhould be ſucceſsful. I do not ſay, we ought to wait for *miracles*; but I think we ought to wait for ſomething, which will be next kin to a miracle; I mean, ſome *ſign* of a *favourable diſpoſition* in the *miniſtry* toward us. I ſhould like to ſee an *olive leaf* at leaſt brought to us, before we quit the *ark*.

Permit me, Sir, to make one propoſal to the Houſe. We may apply to the Crown now, as freely as if we were under its immediate government. Let us deſire his Majeſty's judgment on the point, that has ocaſioned this unhappy difference between the two branches of the legiſlature. This may be done without any * violence, without any hazard to our conſtitution. We ſay, the juſtice of our demands is clear as light: every heart muſt feel the equity of them.

If the deciſion be in our favour, we gain a conſiderable victory; the grand obſtruction of the public ſervice is removed; and we ſhall have more leiſure to carry our intentions coolly into execution. If the deciſion be againſt us, I believe the moſt zealous amongſt us will grant it would be madneſs to expect ſucceſs in any other conteſt. This will be a ſingle point, and cannot meet with ſuch difficulties, as the procuring a total alteration of the government. Therefore, by ſeparating it from other matters, we ſhall

* Nihil vi, nihil ſeceſſione opus eſt. Sall. Bell. Jugurth.

ſoon

ſoon obtain a determination, and know *what chance* we have of ſucceeding in things of greater value. Let us try our fortune. Let us take a caſt or two of the dice for ſmaller matters, before we dip deeply. Few gameſters are of ſo ſanguine a temper, as to ſtake their *whole wealth* on *one* deſperate throw at firſt. If we *are* to *play* with the *public happineſs*, let us act at leaſt with *as much* deliberation, as if we were *betting* out of our private purſes.

Perhaps a little delay may afford us the pleaſure of finding our conſtituents more unanimous in their opinions on this intereſting occaſion: and I ſhould chuſe to ſee a vaſt majority of them join with a calm reſolution in the meaſure, before I ſhould think myſelf juſtifiable in voting for it, even if I approved of it.

The preſent queſtion is utterly foreign from the purpoſes, for which we were ſent into this place. There was not the leaſt probability at the time we were elected, that this matter could come under our conſideration. We are not debating how much money we ſhall raiſe: what laws we ſhall paſs for the regulation of property; nor on any thing of the ſame kind that ariſes in the uſual parliamentary courſe of buſineſs. We are now to determine, WHETHER A STEP SHALL BE TAKEN, THAT MAY PRODUCE AN ENTIRE CHANGE OF OUR CONSTITUTION.

In forming this determination, one ſtriking reflexion ſhould be preſerved in our minds; I mean, "that we are the ſervants of the people of *Pennſylvania*," —— of *that people*, who have been induced, by the excellence of the preſent conſtitution, to ſettle themſelves under its Protection.

THE inhabitants of remote countries, impelled by that love of liberty which All-wiſe Providence has planted in the human heart, deſerting their native ſoils, committed themſelves with their helpleſs families to the mercy of winds and waves, and braved all the terrors of an unknown wilderneſs, in hopes of enjoying in theſe woods the exerciſe of thoſe invaluable rights, which ſome unhappy circumſtance had denied to mankind in every other part of the earth.

THUS, Sir, the people of *Pennſylvania* may be ſaid to have *purchaſed* an inheritance in its conſtitution, at a prodigious price; and I cannot believe, unleſs the ſtrongeſt evidence be offered, that they are now willing to part with that, which has coſt them ſo much toil and expence.

THEY have not hitherto been diſappointed in their wiſhes. They have obtained the bleſſings they ſought for.

WE have received theſe ſeats by the free choice of this people, under this conſtitution; and to preſerve it in its utmoſt purity and vigour, has always been deemed by me, a principal part of the truſt committed to my care and fidelity. The meaſure now propoſed has a direct tendency to endanger this conſtitution: and therefore, in my opinion, we have *no right* to engage in it, without the *almoſt univerſal conſent of the people*, expreſt in the plaineſt manner.

I THINK, I ſhould improperly employ the attention of this Houſe, if I ſhould take up much time in proving, that the deputies of a people have not a right, by any law divine or human, to change the government under which their authority was delegated to them, without ſuch a conſent as has been mentioned.——The poſition is ſo conſonant to natural juſtice and common ſenſe, that I believe it

never has been been ſeriouſly controverted. All the learned authors that I recollect to have mentioned this matter, ſpeak of it as an indiſputable maxim.

It may be (*b*) ſaid, perhaps, in anſwer to this objection, "that it is not intended to change the government, but the governor." This, I apprehend, is a diſtinction only in words. The government is certainly to be changed from proprietary to royal; and *whatever may be intended*, the queſtion is, whether ſuch a change will not expoſe our preſent privileges to danger.

It may alſo be ſaid, "that the petitions lying on the table, are a proof of the people's conſent." Can petitions ſo induſtriouſly carried about, and, after all the pains taken, ſigned only by about thirty-five hundred perſons, be looked on as the *plaineſt expreſſions of the almoſt univerſal conſent* of the many thouſands that fill this Province? No one can believe it.

It cannot be denied, Sir, that much the greateſt part of the inhabitants of this Province, and among them men of large fortunes, good ſenſe, and fair characters, who value very highly the intereſt they have in the preſent conſtitution, have not ſigned theſe petitions; and, as there is reaſon to apprehend, are extremely averſe to a change at this time. Will they not complain of ſuch a change? And if it is not attended with all the advantages they now enjoy, will they not have reaſon to complain? It is not improbable, that this meaſure may lay the foundation of more bitter, and more laſting diſſentions among us, than any we have yet experienced.

Before I cloſe this catalogue of unhappy conſequences, that I expect will follow our requeſt of a

(*b*) This was frequently ſaid in the Houſe.

 change,

change, I beg leave to take notice of the *terms* of the petition, that is now under the conſideration of the Houſe.

They equally excite in my breaſt — — ſurprize, and grief, and terror. This poor province is already ſinking under the weight of the diſcredit and reproaches, that by *ſome fatality*, for ſeveral years paſt, have attended our public meaſures; and we not only ſeize this unfortunate ſeaſon to engage her in new difficulties, but prepare to pour on her devoted head, a load that muſt effectually cruſh her. —— We inform the King, by this petition, that *Pennſylvania* is become a ſcene of confuſion and anarchy: that armed mobs are marching from one place to another: that ſuch a ſpirit of violence and riot prevails, as expoſes his Majeſty's good ſubjects to conſtant alarms and danger: and that this tumultuous diſpoſition is ſo general, that it cannot be controuled by any powers of the preſent government; and that we have not any hopes of returning to a ſtate of peace and ſafety, but by being taken under his Majeſty's immediate protection.

I cannot think this a proper repreſentation of the preſent ſtate of this Province. Near four months are elapſed, ſince the laſt riot: and I do not perceive the leaſt probability of our being troubled with any more. The rioters were not only ſucceſsfully oppoſed, and prevented from executing their purpoſe; but we have reaſon to believe, that they were convinced of their error, and have renounced all thoughts of ſuch wild attempts for the future. To whoſe throat is the ſword now held? What life will be ſaved by this application? Imaginary danger! Vain remedy! Have we not *ſufficiently felt* the effects of royal reſentment? Is not the authority of the Crown *fully enough exerted* over us, does it become *us* to paint, in the ſtrongeſt colours, the folly or the crimes of our *countrymen*?

To

To require unneceſſary protection, againſt men who intend us no injury, in ſuch *looſe* and *general* expreſſions, *as may produce even the eſtabliſhment of an armed force among us?*

WITH unremitting vigilance, with undaunted virtue, ſhould a free people *watch* againſt the encroachments of power, and *remove* every pretext for its extenſion.

WE are a dependant colony; and we need not doubt, that means will be uſed to ſecure that dependance. But that we ourſelves ſhould furniſh a reaſon for ſettling a *military eſtabliſhment* upon us, muſt exceed the moſt extravagant wiſhes of thoſe, who would be moſt pleaſed with ſuch a meaſure.

WE may introduce the innovation, but we ſhall not be able to ſtop its progreſs. The precedent will be pernicious. If a ſpecious pretence is afforded for maintaining a ſmall body of troops among us now, equally ſpecious pretences will never be wanting hereafter, for adding to their numbers, The burthen that will be impoſed on us for their ſupport, is the moſt trifling part of the evil. The poiſon will ſoon reach our vitals. Whatever ſtruggles we may make to expell it,

Hæret lateri lethalis arundo ——

THE dart with which we are ſtruck, will ſtill remain fixed—— too firmly fixed, for our feeble hands to draw it out. Our fruitleſs efforts will but irritate the wound; and at length we muſt tamely ſubmit to ——— I quit a ſubject too painful to be dwelt upon.

THESE

THESE, Sir, are my ſentiments on the petition that has occaſioned this debate. I think this neither the *proper ſeaſon*, nor the *proper method*, for obtaining a change of our government. It is *uncertain*, whether the meaſures propoſed will place us in a better ſituation, than we are now in, with regard to the point lately controverted: with reſpect to other particulars, it may place us in a worſe. We ſhall run the *riſque* of *ſuffering* great *loſſes*. We have *no certainty* of *gaining* any thing. In ſeeking a *precarious*, *haſty*, *violent* remedy for the preſent *partial* diſorder, we are *ſure* of expoſing the *whole body* to danger. I cannot perceive the neceſſity of aplying ſuch a remedy. If I did, I would with the greateſt pleaſure paſs over to the opinion of ſome gentlemen who differ from me, whoſe integrity and abilities I ſo much eſteem, that, whatever reaſons at any time influence me to agree with them, I always receive a ſatisfaction from being on their ſide. If I have erred now, I ſhall comfort myſelf with reflecting, that it is an *innocent error*. Should the meaſures purſued in conſequence of this debate be oppoſite to my opinion; and ſhould they procure a change of government with all the benefits we deſire; I ſhall not envy the praiſe of others, who, by their *fortunate* courage and ſkill, have conducted us unhurt, through the midſt of ſuch threatening dangers, to the wiſhed-for port. I ſhall chearfully ſubmit to the cenſure of having been *too apprehenſive* of injuring the people of this Province. If any ſeverer ſentence ſhall be paſſed upon me by the worthy, I ſhall be ſorry for it: but this truth I am convinced of; that it will be much eaſier for me to bear the unmerited reflexions of *miſtaken zeal*, than the juſt reproaches of a *guilty mind*. To have concealed my real ſentiments, or to have counterfeited ſuch as I do not entertain, in a deliberation of *ſo much conſequence* as the preſent, would have been the *baſeſt hypocriſy*. It may perhaps be thought that this however would have been the moſt

politic

politic part for me to have acted. It might have been ſo. But if *policy* requires, that our words or actions ſhould *belye* our hearts, I thank God that I *deteſt* and *deſpiſe* all its *arts*, and all its *advantages*. A good man *ought* to ſerve his country, even though ſhe *reſents* his ſervices. The great reward of honeſt actions, is not the fame or profit that follows them, but the *conſciouſneſs* that attends them. To diſcharge, on this important occaſion, the *inviolable duty* I owe the public, by obeying the *unbiaſſed dictates* of my *reaſon* and *conſcience*, hath been my ſole view; and my only wiſh now is, that the reſolutions of this Houſe, whatever they are, may promote the happineſs of *Pennſylvania*.

FINIS.